

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	Group Art Unit: 1648
	)	
COX	)	Examiner: Lucas, Z.
	)	
Serial No.: Not Yet Assigned	)	<u>INFORMATION DISCLOSURE</u>
	)	<u>STATEMENT</u>
Filed: February 5, 2004	)	
	)	
Atty. File No.: 4152-1-PUS-9	)	<b>EXPRESS MAIL: EL975241398US</b>
	)	
For: "CYSTEINE VARIANTS OF	)	
ERYTHROPOIETIN"	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby submits the enclosed PTO Form 1449. Except for the Boissel et al. reference (#13, enclosed), the documents identified herein were of record in U.S. Patent Application Serial No. 10,400,377, and since the above-identified patent application is a continuation thereof, copies of the identified documents are not being submitted under 37 CFR § 1.98(d). Applicant does not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

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Date: February 5, 2004

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4152-1-PUS-9	SERIAL NO. Not Yet Assigned
	APPLICANT COX	
	FILING DATE February 5, 2004	GROUP ART

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	4,588,585	5/13/86	Mark et al.	424	85	
	2	5,166,322	11/24/92	Shaw et al.	530	351	
	3	5,206,344	4/27/93	Katre et al.	530	351	
	4	5,208,158	5/4/93	Bech et al.	435	219	
	5	5,766,897	6/16/98	Braxton	435	172.1	
	6	5,849,535	12/1998	Cunningham et al.	435	243	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	7	0 458 064 A2	11/1991	Europe				
	8	WO 93/00109	7/1993	PCT				
	9	WO 95/11987	4/1995	PCT				
	10	WO 96/31537	10/1996	PCT				
	11	WO 95/32003	11/1995	PCT				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	12	Bazan, <i>Immunology Today</i> , 11:350-354 (1990)
	13	Boissel et al., <i>J. Biol. Chem.</i> , 268(21):15983-15993 (1993)
	14	Campbell et al., <i>J. Peptide Res.</i> , 49:527-537 (1997)
	15	Cunningham et al., <i>Science</i> , 243:1330-1336 (1989)
	16	Goodson and Katre, <i>Bio/Technology</i> , 8:343-346 (1990)
	17	Karpusas et al., <i>Proc. Natl. Acad. Sci. USA</i> , 94:11813-11818 (1997)

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT COX	
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	18	Lowman and Wells, <i>J. Mol. Biol.</i> , 234:564-578 (1993)
	19	Mott and Compbell, <i>Curr Opin Struct Biol</i> , 5:114-121 (1995)
	20	Sprang and Bazan, <i>Curr. Op. Struct. Biol.</i> , 3:815-827 (1993)
	21	Wells, <i>Ann. Rev. Biochem.</i> , 65:609-634 (1996).
	22	Zalipsky, S., <i>Adv. Drug Delivery Rev.</i> , 16:157-182 (1995)

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	